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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,356	03/24/2004	Rolf Brunner	38412-201156	5381
26694	7590	10/12/2005	EXAMINER	
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20045-9998			LAU, HOI CHING	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/807,356	BRUNNER, ROLF	
	Examiner	Art Unit	
	Hoi C. Lau	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>3/24/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-16 have been examined.

Claim Objections

2. Claim 4 is objected to because of the following informalities:

The claim is incomplete.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5, 7, 14, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruckh et al. (U.S. 5,539,199) in view of Delmonaco (U.S. 6,052,052).

Regarding **Claim 1**, Ruckh's device comprises:

a transmitter that emits light rays (abstract and column 2, lines 25-31);

a receiver that receives light rays reflected from an object and having an output producing receiving signals (abstract and column 2, lines 25-31);

a deflection unit to deflect the transmitted light rays to periodically sweep across a monitoring range (column 4, lines 61-66);

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an evaluation unit coupled to the transmitter and the receiver unit and storing parameters of several safety zones that form respectively predetermined areas of the monitoring range, wherein an object detection signal is generated in the evaluation unit in dependence on the receiving signals at the receiver output, which object detection signal indicates whether or not an object is located within an activated one of the safety zone (abstract and column 2, lines 25-41).

It fails to show a communication interface coupled to the evaluation unit.

Delmonaco's device teaches a communication interface coupled to the evaluation unit (50) and operative for bi-directional data transmission with an external unit, wherein at least one of the stored safety zones is activated by reading into the evaluation unit activation signal from the external unit via the communication interface (abstract and column 2, lines 1-28 and column 4, lines 35-42).

It would have been obvious to one of ordinary skill in the art to implement a communication interface with Ruckh's device because it would provide a monitoring system through communication channel for zone security at a remote site.

As to **claims 5 and 7**, the combination meets all the limitation of claim and Delmonaco's device shows the communication interface is adapted for a non-contacting data transmission with the external unit by applying radio signal (column 2, lines 1-28 and column 4, lines 35-42).

As to **claim 14**, the combination meets all the limitation of claims and Delmonaco's teaches the electronic controller monitors a plurality of sensors that

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are separated into a plurality of separate zones where activated safety zones are switched by means of the activation signals (column 2, lines 1-36).

As to **claim 15**, the combination meets all the limitation of claim and Ruckh's device show the evaluation unit able to generate the parameter data (column 2, lines 24-43) while Delmonaco's device able to transmitted the data and information via the communication interface (column 2, lines 29-36 and column 4, lines 35-42).

As to **claim 16**, Ruckh's teaches the shape of defined objects of the safety zones form the parameter data (column 3, lines 19-27).

It would have been obvious to one of ordinary skill in the art to the shapes contains an outline of the object which is correlated with the contour.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ruckh et al. (U.S. 5,539,199) in view of Delmonaco (U.S. 6,052,052), in further view of Kimura (U.S. 4,701,625).

As to **claim 2**, the combination meets all the limitation of claim but it fails to show the communication interface is a serial interface.

Kimura's device teaches the communication interface is a serial interface (column 5, lines 10-15).

It would have been obvious to one of ordinary skill in the art the serial interface is well-known type of communication channel for contacting data transmission which transferring data through digital signal.

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5. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruckh et al. (U.S. 5,539,199) in view of Delmonaco (U.S. 6,052,052), in further view of Shnier (U.S. 6,411,215).

As to **claim 3**, the combination meets all the limitation of claim but it fails to show the communication interface is a bus interface.

Shnier's device teaches the communication interface is a bus interface (column 7, lines 66-67 and column 8, lines 1-2).

It would have been obvious to one of ordinary skill in the art the bus interface is well-known type of communication channel for contacting data transmission which transferring data through digital signal.

As to **claim 6**, the combination meets all the limitation of claim but it fails to show the data are transmitted in the form of optical signal.

Shnier's device teaches the data are transmitted in the form of optical signal (column 7, lines 66-67 and column 8, lines 1-2).

It would have been obvious to one of ordinary skill in the art to use optical signal to transmit data because optical signal supports faster transmission rate and wireless characteristic.

6. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruckh et al. (U.S. 5,539,199) in view of Delmonaco (U.S. 6,052,052), in further view of Holland (U.S. 4,020,477).

As to **claim 8**, the combination meets all the limitation of claim and it shows the activation signals are supplied to the evaluation unit via the communication interface (see rejection of claim 1).

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It fails to show the activation signals are supplied to the evaluation unit via an error-free data transmission.

Holland's device teaches the activation signals are supplied to the evaluation unit via an error-free data transmission (abstract).

It would have been obvious to one of ordinary skill in the art the communication channel would be an error free data transmission because it would avoid the error occurrence during data transmission.

As to **claim 9**, the combination meets all the limitation of claim and Delmonaco's device shows the activation signals include an identification characteristic that is respectively assigned to one stored safety zone (column 2, lines 1-28).

7. Claims 10 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ruckh et al. (U.S. 5,539,199) in view of Delmonaco (U.S. 6,052,052), in further view of Holland (U.S. 4,020,477) and Naboulsi (U.S. 2003/0096593).

As to **claim 10**, the combination meets all the limitation of claim but it fails to show the evaluation unit emits a feedback signal via the communication interface in response to an activation signal.

Naboulsi's device teaches the controller unit emits a feedback signal via the communication interface in response to an activation signal (page 6, paragraph 67).

It would have been obvious to one of ordinary skill in the art to apply a feedback in response to acknowledge an activation signal because it would

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ensure the activation status of the system which in term of the normal system operation.

As to **claim 12**, the combination meets all the limitation of claim but it fails to show the feedback signal functions to acknowledge an activation signal.

Naboulsi's device teaches the feedback signal functions to acknowledge an activation signal (page 6, paragraph 67).

See rejection of claim 10.

As to **claim 13**, the combination meets all the limitation of claim but it fails to show the feedback signal indicates the activation of a safety zone in the evaluation unit, which occurred in dependence on the assigned activation signal.

Naboulsi's device teaches the feedback signal functions to acknowledge an activation signal (page 6, paragraph 67).

It would have been obvious to one of ordinary skill in the art to use a feedback signal to indicate the activation of a safely zone in the evaluation unit because it would provide the relevant information and status of the activate zone for security monitoring indication.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ruckh et al. (U.S. 5,539,199) in view of Delmonaco (U.S. 6,052,052) and Holland (U.S. 4,020,477) and Naboulsi (U.S. 2003/0096593), in further view of Wadhwani et al. (U.S. 4,302,750).

As to **claim 11**, the combination meets all the limitation of claims except it fails to show an error message is generated in an external unit that is connected

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to the communication interface in the event that no feedback is received within a predetermined time interval for the transmitted activation signal.

Wadhvani's device teaches an error message is generated in an external unit that is connected to the communication interface in the event that no feedback is received within a predetermined time interval for the transmitted activation signal (column 27, lines 29-37).

It would have been obvious to one of ordinary skill in the art to include an error message generation because it would provide an indication for the operator about the error or problem status of the system.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Benoit (U.S. 4,998,093) "Portable personal electronic perimeter alarm".
- b. Wuestefeld et al. (U.S. 6,737,970) "Opto-electronic apparatus for..."
- c. Leitz et al. (U.S. 3,972,021) "System for monitoring space by electro-optical".
- d. Stanczak et al. (U.S. 5,903,217) "Micro motion sensor".

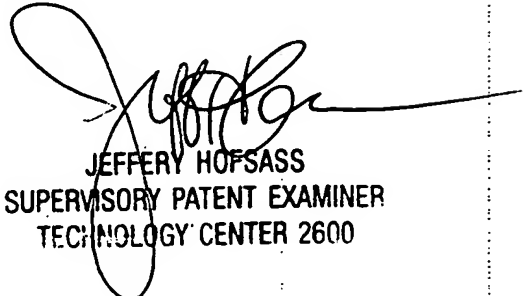
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoi C. Lau whose telephone number is (571)272-8547. The examiner can normally be reached on M- F 8:30am - 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571)272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HCL



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